

Amendment No. 1 to SB0693

Stanley
Signature of Sponsor

AMEND Senate Bill No. 693*

House Bill No. 1907

by deleting all language after the caption and prior to the enacting clause.

AND FURTHER AMEND BY adding the following language at the end of subdivision (2) of Section 3:

Contracting entity shall not include any self-funded employer-sponsored health insurance plan regulated under the Employee Retirement Income Security Act of 1974 (ERISA), as codified and amended at 29 U.S.C. 1001, et seq. In addition, contracting entity shall not include any individual or entity that provides administrative services to the self-funded employer sponsored health insurance plan; provided, however that this exemption applies only to those administrative services performed for the self-funded employer sponsored health insurance plan.

AND FURTHER AMEND BY adding the following sentence to the end of subdivision (15) of Section 3:

Third party shall not include any self-funded employer-sponsored health insurance plan regulated under the Employee Retirement Income Security Act of 1974 (ERISA), as codified and amended at 29 U.S.C. 1001, et seq. In addition, third party shall not include any individual or entity that provides administrative services to the self-funded employer sponsored health insurance plan; provided, however that this exemption applies only to those administrative services performed for the self-funded employer sponsored health insurance plan.

AND FURTHER AMEND by adding the following language as a new subsection (c) to Section 4:

(c) This chapter does not apply to the provision of any medical services for injuries covered by the Workers' Compensation Law, compiled in title 50, chapter 6.

AND FURTHER AMEND BY inserting the language "or third party administrator" in the first sentence and second sentences of subsection (a) of Section 5 immediately after the language "as an insurer".

AND FURTHER AMEND by deleting the language "and" located between the language "site" and "a toll-free" from subdivision (b)(2) of Section 6 and by substituting instead the language "or".

AND FURTHER AMEND BY deleting language "twenty-one (21)" in subdivision (b)(5) of SECTION 6 and by substituting instead the word and number "thirty (30)".

AND FURTHER AMEND deleting the first word "A" from subsections (a) and (b) of Section 7 and by substituting instead the language "Any".

AND FURTHER AMEND by deleting subsection (c) of Section 7 in its entirety and by substituting instead the following language:

(c) Any third party that subsequently grants access to another third party will provide to the contracting entity the location of a web site or a telephone number that the contracting entity will make available to providers as provided in Section 6(b)(2) that will identify to providers any individual or entity to whom the third party has granted access to the provider's health care services and contractual discounts pursuant to the provider network contract. The third party shall update the listing on the web site or available through the telephone number on a routine basis as additional individuals or entities are granted access and shall review the listing no less frequently than quarterly to ensure the completeness and accuracy of the information available.

AND FURTHER AMEND by deleting subdivision (b)(1) and (b)(2) in Section 8 in their entirety; by redesignating (b)(3) as (b)(2); and by inserting the following language as (b)(1):

(1) A provider may refuse the discount taken on the RA or EOP if the discount is taken without a contractual basis or if the provider cannot obtain information relative to the discount because of a violation of Section 6(b)(2) or Section 7(c). The provider shall

notify in writing the contracting entity or third party of the provider's refusal to accept the contractual discount.

AND FURTHER AMEND by deleting Section 9(b).

AND FURTHER AMEND by deleting from Section 11 the language "October 1, 2009" and by substituting instead the language "January 1, 2010".